

REMARKS

Claims 9-13 and 66 are pending. Claims 9-13 have been amended. Claim 66 has been added. Claims 62-65 have been cancelled. Applicant reserves the right to pursue the original and other claims in this and any other application.

Claims 9-13 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Admitted Prior Art ("APA"). The rejection is respectfully traversed.

Claim 9 recites a memory device comprising, *inter alia*, "a respective dielectric layer overlaying each said nitride layer, the dielectric layer being spaced from each said vertical oxide spacer by said nitride layer."

By contrast, the APA cited by the Office Action teaches a memory device in which the dielectric layer 21 is in direct contact with the vertical oxide spacers 11. (FIG. 3) Therefore, the rejection of claim 9 should be withdrawn and the claim allowed.

Claims 10-13 and 66 depend from claim 9 and are allowable along with claim 9 for at least the reasons stated above with respect to claim 9 and on their own merits. Therefore, the rejection of claims 10-13 and 66 should be withdrawn and the claims allowed.

Application No. 10/626,620
Amendment dated April 4, 2007
Reply to Office Action of January 29, 2007

Docket No.: M4065.0567/P567-A

In view of the above, applicant believes the pending application is in condition for allowance and respectfully requests that it be passed to issue.

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Respectfully submitted,

By 

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